

Whereas, The Governor of the State of Texas has proclaimed this day a holiday; and

Whereas, The Legislature desires to honor the memory of this great man; now, therefore, be it

Resolved, by the Senate of the State of Texas, the House of Representatives concurring, That when the Legislature adjourns today it do so in honor of the memory of Jefferson Davis.

The resolution was read second time, and was adopted.

ADJOURNMENT.

On motion of Mr. Wallace the House, at 1:45 o'clock p. m., adjourned until 9 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committee has today filed favorable reports on bills, as follows:

Appropriations: House bills Nos. 1, 2, 3, 4 and 5.

SECOND DAY.

(Tuesday, June 4, 1929.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called and the following members were present:

Mr. Speaker.	Forbes.
Acker.	Gates.
Ackerman.	Gerron.
Adkins.	Gilbert.
Albritton.	Giles.
Anderson.	Graves
Avis.	of Williamson.
Baker.	Graves of Erath.
Baldwin.	Harding.
Barnett.	Harman.
Beck.	Harper.
Bounds.	Harrison.
Brice.	Heaton.
Brooks.	Hines.
Carpenter.	Hogg.
Coltrin.	Holder.
Cox of Navarro.	Hopkins.
Cox of Limestone.	Hornaday.
Davis.	Johnson
DeWolfe.	of Dimmit.
Dunlap.	Johnson of Smith.
Duvall.	Johnson of Scurry.
Ewing.	Jones.
Finn.	Justiss.
Finlay.	Keeton.

Keller.	Ray.
Kemble.	Reader.
Kennedy.	Renfro.
Kincaid.	Richardson.
King.	Rountree.
Land.	Sanders.
Lee.	Savage.
Lemens.	Shaver.
Long of Houston.	Shelton.
Long of Wichita.	Sherrill.
Loy.	Shipman.
Mankin.	Simmons.
Marks.	Sinks.
Mauritz.	Speck.
Maynard.	Stephens.
McCombs.	Stevenson.
McGill.	Storey.
McKean.	Strong.
Mehl.	Tarwater.
Metcalfe.	Thompson.
Montgomery.	Thurmond.
Moore.	Tillotson.
Mosely.	Van Zandt.
Mullally.	Veatch.
Murphy.	Wallace.
Negley.	Warwick.
Nicholson.	Webb.
O'Neill.	Westbrook.
Palmer.	White.
Patterson.	Wiggs.
Pavlica.	Williams
Petsch.	of Sabine.
Pool.	Williams
Pope of Jones.	of Travis.
Pope of Nueces.	Woodall.
Purl.	Woodruff.
Quinn.	Young.

Absent.

Bateman.	Morse.
Enderby.	Rogers.
Eickenroht.	Snelgrove.
Fuchs.	Turner.
Hubbard.	Waddell.
Martin.	Walters.

Absent—Excused.

Bond.	Kinnear.
Bradley.	McDonald.
Chastain.	Minor.
Conway.	Olsen.
Cox of Lamar.	Prendergast.
Hardy.	Reid.
Hefley.	Smith.
Jenkins.	Williams
Kayton.	of Hardin.
Kenyon.	

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. McDonald for today, on motion of Mr. Gerron.

Mr. Kenyon for today, on motion of Mrs. Moore.

Mr. Conway, Mr. Bradley, Mr. Cox of Lamar, and Mr. Bond, on motion of Mr. Brice.

Mr. Minor, Mr. Hardy and Mr. Olsen for today, on motion of Mr. Barron.

Mr. Reid for today, on motion of Mr. Adkins.

The following members were granted leaves of absence on account of illness:

Mr. Avis for yesterday, on motion of Mr. Johnson of Dimmit.

Mr. Kayton for today, on motion of Mr. Anderson.

Mr. Smith for today, on motion of Mr. DeWolfe.

Mr. Kinnear for today, on motion of Mr. Nicholson.

Mr. Chastain for yesterday and today, on motion of Mr. Tillotson.

Mr. Prendergast for today, on motion of Mr. Hines.

Mr. Jenkins for today, on motion of Mr. Ackerman.

Mr. Pope of Jones for yesterday, on motion of Mr. Adkins.

Mr. Anderson for yesterday, on motion of Mr. Nicholson.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

(Pending reading of House bills on first reading, Mr. Tillotson occupied the chair temporarily.)

By Mr. Mauritz:

H. B. No. 26, A bill to be entitled "An Act providing for the levying and collection of income taxes upon individuals, fiduciaries, corporations, joint stock companies and associations residing or doing business within the State of Texas, and upon non-residents having income from property located in or business transacted within the State of Texas; fixing the rates of tax to be levied and collected from such income; designating what shall constitute income coming under the provisions of this act and allowing certain deductions from gross income for the purpose of calculating net income; providing for exemptions of amounts or parts of incomes such exemptions to be excepted from said tax, etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Mauritz:

H. B. No. 27, A bill to be entitled "An Act amending Article 7066 of the Revised Statutes of Texas, levying gross receipts taxes on sulphur; providing for a tax of one dollar per ton on all sulphur produced within the State of Texas, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Tarwater and Mr. Woodall:

H. B. No. 28, A bill to be entitled "An Act to amend Article 2655, Revised Statutes, 1925, providing for the election and term of office of the State Superintendent of Public Instruction, repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Graves of Williamson and others:

H. B. No. 29, A bill to be entitled "An Act prohibiting the shooting or discharging of any gun, pistol, or firearm of any kind in or along or across any public road in this State, and prescribing a penalty therefor."

Referred to Committee on Criminal Jurisprudence.

By Mr. Gilbert, Mr. Stevenson and Mr. Finlay:

H. B. No. 30, A bill to be entitled "An Act making an appropriation to be expended under the contingencies and in the manner provided in an act passed by the First Called Session of the Forty-first Legislature and known as House bill No. 180, approved by the Governor on the 17th day of May, A. D. 1929, which act provides for the destruction of certain predatory animals and rodent pests."

Referred to Committee on Appropriations.

By Mr. Gilbert, Mr. Stevenson and Mr. Finlay:

H. B. No. 31, A bill to be entitled "An Act amending Section 3 of an act passed by the First Called Session of the Forty-first Legislature, known as House bill No. 180, approved by the Governor on the 17th day of May, A. D. 1929, and declaring an emergency."

Referred to Committee on Live Stock and Stock Raising.

By Mrs. Moore and others:

H. B. No. 32, A bill to be entitled "An Act providing for the collection,

housing and care of the historical and natural history museum materials in Texas, beginning September 1, 1929, giving power to the University of Texas to gather such materials and to apply to that end the funds herein appropriated, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Kincaid:

H. B. No. 33, A bill to be entitled "An Act establishing a State Sanitary Code which provides for the prevention and control of disease; giving the State Health Officer and the State Board of Health authority to promulgate orders, rules, and regulations for the protection of the public health; repealing the old State Sanitary Code known as Chapter 4, Article 4477 of the Revised Civil Statutes of Texas, of 1925, and repealing all laws, articles, sections, and subdivisions of laws in conflict or inconsistent with this act; prescribing a penalty, and declaring an emergency."

Referred to Committee on Public Health.

By Mr. Holder:

H. B. No. 34, A bill to be entitled "An Act amendatory of Articles 2774, 2778, 2808 and 2922e, Revised Statutes, 1925, providing for the appointment or election and term of office of school trustees in all independent, consolidated and rural high school districts; adjusting the term of office of trustees now in office; providing for filling of all vacancies; providing for the date of first election under this act; repealing all laws both general and special in conflict herewith and especially repealing Article 2782, Revised Statutes, 1925, and declaring an emergency."

Referred to Committee on Education.

By Mr. McCombs:

H. B. No. 35, A bill to be entitled "An Act to adopt a general arbitration status and making valid and enforceable written agreements and provisions in contracts for the arbitration of disputes; providing for a stay of proceedings brought in violation of arbitration agreements; providing a remedy in case of the failure, neglect or refusal of a party to perform under an agreement for arbitration by filing a motion in court with notice, hearing and order on such hearing; providing for the appointment of arbitrators; the manner of making, giving notice of and hearing application hereunder; providing for the sub-

poenaing of witnesses to testify before arbitrators; for the taking of depositions for hearings before arbitrators; for the award of arbitrators; for proceedings to confirm, vacate and modify or correct the award and judgment thereon; providing for the notice of such motions, the hearing on the same and the orders thereon; providing for the recording and entry of such judgment and the enforcement thereof and appeals therefrom; providing for ancillary proceedings pending arbitration and for the stay of the same and the determination of the same pending arbitration; providing for the invalidity of any section or part of the act because of constitutional or other reasons; providing for the title of the act; and repealing Articles 224 to 238, inclusive, of the 1925 Revised Civil Statutes of Texas, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Stevenson and Mr. Woodall:

H. B. No. 36, A bill to be entitled "An Act to amend Chapter 263 of the Acts of the Regular Session of the Forty-first Legislature of the State of Texas, prescribing certain duties of the clerks of the Courts of Civil Appeals of the State of Texas, with reference to filing, recording and preservation of the records and proceedings of said courts, and preventing the clerks of said courts from destroying said records, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Holder and others:

H. B. No. 37, A bill to be entitled "An Act providing revenues for the public highways of this State; amending and changing the laws so as to increase the amount of the occupation tax on wholesale dealers in gasoline as defined in this act and changing the law so as to include certain classes and transactions now escaping the tax; providing for one-fourth of said occupation tax to go to the public free schools; amending, adding to and changing the laws in such respects as are necessary to better provide for such gasoline tax, its collection, disposition and use; amending Article 7065, Revised Civil Statutes of 1925 as amended; limiting the tax so it will not apply to transactions in interstate commerce or sales to the Federal government for its use; changing the registration fees on motor vehicles, motorcycles, commercial motor vehicles, trucks, tractors, trailers, and semi-trailers in keeping with the change in the gasoline

tax law; providing for proper distribution and use of the revenues provided for in this act; repealing certain laws and all others in conflict with this act; declaring the rule of construction in event a portion of the act is unconstitutional or invalid; fixing the effective date of the act; enacting proper saving clauses; enacting other provisions necessary and incidental to the subject and purpose of the act, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Reader, Mr. Anderson, Mr. Mehl and Mrs. Negley:

H. B. No. 38, A bill to be entitled "An Act authorizing commissioners courts in counties in Texas having a population of at least 202,000 inhabitants, as shown by the census of 1920, in which are established hospitals jointly owned or operated by any city and county to levy a direct tax of not over ten cents on the valuation of one hundred dollars for the purpose of erecting buildings and other improvements, and for maintaining and operating such hospitals and providing that all such levy of taxes shall be submitted to the qualified taxpaying voters of the county and a majority vote to be necessary to levy the taxes, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Cox of Limestone:

H. B. No. 39, A bill to be entitled "An Act appropriating fifteen hundred (\$1500.00) dollars to be applied upon the purchase of a statue to be placed upon the Fort Parker Monument, when a like sum is raised by public subscription; appointing commissioners to purchase said statue and use said funds therefor, and to withdraw such appropriation upon their affidavits of the collection of such like sum by public subscription; providing for selection of successors, in case of necessity, of such commissioners, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Petsch and others:

H. B. No. 40, A bill to be entitled "An Act to amend Chapter 1, Article 47, Penal Code, 1925, redefining 'offense,' as set out in said article, and prescribing jurisdiction and method of trial."

Referred to Committee on Criminal Jurisprudence.

By Mr. Petsch:

H. B. No. 41, A bill to be entitled "An Act to amend Article 3888, Revised Civil Statutes, 1925, so as to provide for the payment of the ex-officio county superintendent's salary out of the available school fund of the county."

Referred to Committee on Counties.

By Mr. Gates:

H. B. No. 42, A bill to be entitled "An Act levying a State tax on every person, firm, partnership, company, corporation, association, receiver, common law trust, those operating under a declaration of trust, or other concern, selling at wholesale in intrastate commerce in this State any product commonly known as malt syrup or malt syrup compounds or any syrup or syrup compound containing caffeine; defining 'wholesales' so as to include sales in intrastate commerce to the retailer; defining 'wholesales' so as to include transactions where the Texas dealer, compounder, manufacturer, blender, or preparer, markets such malt syrup or malt syrup compounds and syrup or syrup compounds containing caffeine; enacting the necessary provisions to enforce the collection of the tax and to accomplish the purpose of the act; requiring reports to be made and records to be kept, and permitting inspection of same by public officials; prescribing penalties for failure to comply with the act; providing for the interest on delinquent taxes and penalties; making disposition of taxes after collected, three-fourths of same to go to the State fund and one-fourth to the available school fund; providing for suits to enforce the act; defining such syrups and compounds; declaring the legislative intent as to portions of sections of act being held invalid; defining 'person,' as used in this act, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Graves of Williamson and others:

H. B. No. 43, A bill to be entitled "An Act to amend Articles 6221 of Title 109 of the Revised Civil Statutes of 1925, and amended by Chapter 153 of the General Laws of the Regular Session of the Forty-first Legislature, repealing Article 6222a of said chapter and all other laws in conflict herewith, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Holder and Mr. Shaver:

H. B. No. 44, A bill to be entitled "An Act to amend Article 2892, Revised Statutes, 1925, fixing the age and extending the term for compulsory school attendance; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Hornaday:

H. B. No. 45, A bill to be entitled "An Act to amend Article 7622, of the Revised Civil Statutes of the State of Texas, Revision of 1925, by enlarging and extending the purposes for which water improvement districts created or operated under said chapter may issue bonds, by providing that said districts may contract with other districts for a water supply and may purchase or make such improvements as may be necessary to receive and distribute such water supply, and may incur indebtedness to fully carry out each and all of the purposes of its organization and issue bonds in payment therefor, and to amend Chapter 2, Title 128, Revised Civil Statutes of Texas of 1925, by adding thereto Articles 7653a and 7653b, etc., and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Cox of Limestone:

H. B. No. 46, A bill to be entitled "An Act to prevent fraud in the purchase of gasoline and oil and to assure correct measurement, and declaring the retail sale of gasoline and oil to be affected with a public interest, etc., and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Duvall:

H. B. No. 47, A bill to be entitled "An Act amending Articles 7084, 7085, 7087, 7089 and 7091, and repealing Articles 1538i, 7086, 7088 and 7090, Revised Civil Statutes of Texas, 1925, levying and imposing franchise taxes on foreign and domestic corporations, providing an equal and uniform method for the computation of same, providing for the making of reports and affidavits by corporations, prescribing and defining offenses and fixing fines, penalties and punishment; providing for the en-

forcement of the provisions hereof, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Sinks and others:

H. B. No. 48, A bill to be entitled "An Act amending Article 1723 of the Revised Civil Statutes of 1925, providing for the appointment by the Supreme Court of stenographers for that Court, and fixing their salaries, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Anderson:

H. B. No. 49, A bill to be entitled "An Act authorizing the Governor to appoint a committee of three citizens of the State of Texas to acquire, by purchase, condemnation or otherwise, all the remaining property now privately owned in the block bounded by Alamo Plaza, Nacogdoches and East Houston Streets, in the city of San Antonio, surrounding the historic Alamo, for the State of Texas; prescribing the duties of such commission, and describing the land to be purchased; authorizing condemnation proceedings; making appropriation for the acquisition thereof and the expenses in connection therewith; directing how and when the same shall be paid for, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Williams of Travis:

H. B. No. 50, A bill to be entitled "An Act to amend Chapter 93, Acts of the Regular Session of the Fortieth Legislature, by providing for an occupation tax upon wholesale dealers in gasoline on all such gasoline so sold by any such dealer; defining wholesale dealers; repealing all laws in conflict with said amendment, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Petsch and others:

H. B. No. 51, A bill to be entitled "An Act regulating and imposing duties and restrictions on certain public utilities, providing for the regulation of rates to be charged by public utilities for service rendered, that the rates charged shall be just and reasonable and that the service rendered shall be

adequate, efficient and reasonable; requiring reports to be made by utilities, creating a public utilities commission, providing for the appointment of commissioners, fixing their salaries and terms of office; providing for the employment of examiners, engineers, statisticians, accountants, inspectors, clerks and employes; conferring duties and powers upon the commission; prescribing rules of procedure before it, providing for an appeal to the commission from the order of a municipal corporation empowered to regulate the rates of utilities or from the failure to act on the part of the governing body of such municipality in regard to rates charged for service rendered; providing for judicial review and enforcement of the acts, orders and decisions of the commission and a penalty for the violation of the provisions of this act; repealing acts inconsistent herewith, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. White:

H. B. No. 52, A bill to be entitled "An Act amending Chapter 147 of the General Laws passed at the Regular Session of the Thirty-eighth Legislature, 1923."

Referred to Committee on Education.

By Mr. Hornaday:

H. B. No. 53, A bill to be entitled "An Act authorizing the Commissioner of Agriculture to establish, maintain and enforce quarantine regulations to protect the agricultural and horticultural interests of this State against the introduction into and dissemination into and/or within this State from any State, States and/or parts of States other than the State of Texas, of insect pests and plant diseases injurious to plants and plant products of this State; providing for emergency or permanent quarantines against any other State, States and/or parts of States outside the State of Texas for the protection of the whole of the State of Texas or any area thereof; authorizing the Commissioner of Agriculture to promulgate rules and regulations for the enforcement of this act; providing that this act shall be cumulative of all laws now on the statute books; providing penalties for violations, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Hornaday:

H. B. No. 54, A bill to be entitled "An Act to appropriate fifteen thousand dollars (\$15,000) to the State Department of Agriculture, to be used by the Commissioner of Agriculture as an emergency fund to pay salaries and traveling expenses of inspectors and general office expenses of the Department of Agriculture, and to pay damages for fruit destroyed and other claims, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Beck:

H. B. No. 55, A bill to be entitled "An Act providing for a commission to make recommendations to the Legislature of this State regarding the possible concentration and/or relocation of the prison system of Texas, etc., and declaring an emergency."

Referred to Committee on Penitentiaries.

By Mr. Mauritz:

H. B. No. 56, A bill to be entitled "An Act amending Article 7105 and paragraph 10 of Article 7107, and Article 7111, Revised Civil Statutes of Texas for 1925, so as to include under the provisions of said articles telegraph, telephone, etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Tillotson and others:

H. B. No. 57, A bill to be entitled "An Act to assist in the prevention of the theft of motor vehicles in Texas; requiring the owner of every motor vehicle to acquire certificate of title from the county tax collector, and requiring each owner to acquire from county tax collectors and affix on vehicle, etc., and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Nicholson:

H. B. No. 58, A bill to be entitled "An Act to authorize H. L. McKee, his legal representatives and assigns, to construct, maintain and operate a toll bridge across Lake Sabine at or near Port Arthur, Texas, between Texas and Louisiana, subject to certain limitations and conditions, and for the acquisition thereof by the State and Federal governments, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Purl:

H. B. No. 59, A bill to be entitled "An Act defining building and loan associations, providing for their incorporation, and prescribing the terms, conditions and regulations upon which such companies may carry on their business in Texas; prescribing the terms and conditions upon which foreign building and loan associations may carry on their business in Texas; prescribing penalties for violation of the provisions of the act; repealing acts and parts of acts in conflict herewith, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Graves of Williamson and Mr. Forbes:

H. B. No. 60, A bill to be entitled "An Act repealing Article 727a of the Code of Criminal Procedure as revised in 1925."

Referred to Committee on Criminal Jurisprudence.

By Mr. Graves of Williamson:

H. B. No. 61, A bill to be entitled "An Act to amend Section 4, of Article 1545, of the Penal Code of the State of Texas, as revised in 1925, and making the giving of any check, draft or order for money upon any bank, firm, person or corporation an offense, provided the person so giving such check, draft or order has not at the time of giving such check, draft or order sufficient funds deposited with such bank, firm, person or corporation to pay such check, draft or order."

Referred to Committee on Criminal Jurisprudence.

By Mr. Sanders and Mr. Graves of Williamson:

H. B. No. 62, A bill to be entitled "An Act providing that when a change of venue has been granted in any criminal cause the clerk shall send all of the original papers in said cause, together with a certified copy of the court's order directing such change of venue, and a certified copy of the recognizance by the defendant, if any, to the clerk of the court to which said cause was so transferred; amending Article 570 of the Code of Criminal Procedure of Texas as revised in 1925, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Kincaid:

H. B. No. 63, A bill to be entitled "An Act to amend Article 7336, of the Revised Civil Statutes of 1925, so as to provide for a ten per cent penalty for the collection of delinquent taxes in independent school districts, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Keller:

H. B. No. 64, A bill to be entitled "An Act providing revenues for the public highways of this State; providing for and regulating registration fees on motor vehicles, motorcycles, commercial vehicles, trucks, tractors, trailers and semi-trailers; enacting provisions and regulations in connection with the registration of such vehicles, etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Gilbert and Mr. Davis:

H. B. No. 65, A bill to be entitled "An Act exempting from taxation property owned by a church or by a strictly religious society for the exclusive use as dwelling places for the ministry of such church or religious society, and which yields no revenue whatever to such church or religious society; providing that such exemptions shall in no event be more than one acre of land, etc."

Referred to Committee on Revenue and Taxation.

EMPLOYEES ANNOUNCED.

The Speaker announced the appointment of the following pages:

Olin Crow, page to Mr. Atkinson.

William Grayson, page to Mr. Clements.

Jack Otting, page to Mr. Williams (at bar of House).

William Turner, page to Mr. Williams (at bar of House).

Ernest Smith, page to stenographic force.

William Bergman, Jesse Hellums, Reagan Humphreys, Ben King, Jack Leverton, J. E. Mayer, Gary Morrison, J. T. Patterson, Henry Rogers, Hugh Smith, Harper Ledbetter, E. Townsley, Russell Soper, William White, Victor LeTulle, Mayo King, Scott Keeling, Ernest Elam, Dean Madden, Billie Tarver, Charles Kramer, James Dreer Crane, Minton Hanna, Howard Pierson, Gates Steen, Peter Wells, Jack Crane,

Louis Wilkerson, Jack Carlson, Harvey Nichols, Ben Pool.

The Speaker announced the appointment of the following committee clerks:

James Pipkin, John G. Ross, Bullock Hyder, P. T. Holt, Hubert Faulk, Horden Howard, W. D. Yancey, Carrol Edgar, R. C. Day, James L. Childs.

The Speaker announced the appointment of the following employees in the Enrolling Room:

Mrs. Lottie Sturdivant, Mrs. E. E. Young, Mrs. Estelle Hayden, R. R. Reeves, Bruce Haynes, Mrs. Matilda Riesto Smith, Katy Harper.

The Speaker announced the appointment of the following typists:

Jennie King Russell, Magdaline Zipplies, Vita G. Harman, Hilda Schulte, Agness Elgin, J. C. Aldrich, Coral Bills, Madge Baker.

The Speaker announced the appointment of the following employees:

Tillman Dorr, doorkeeper to outer door of House.

Mrs. R. W. Rike, assistant in mailing department.

The Speaker announced the appointment of the following porters:

George Hunt, head porter; Tom Kincheon, Newton Collins, Milton Nobles, Joe E. Johnson, Rufus Pope, Isaiah Smith, John White, Harrison Clements, John W. Reader, John Lee Rollins, Charlie Irvin, Lewis Gilbert, Henry Moore, Aaron Sims.

The Speaker announced the appointment of the following employees in the Engrossing Room:

Lillian Johnson, F. D. McMullen, Mrs. Mary Porter, Mrs. R. N. McCann, Mrs. T. E. Watson, Mrs. Ella M. Whitis, Marguerite Franklin, Mrs. Mallie Plemons, Edwin Walker, Mrs. H. P. Haldeman, Lenora Griffin, Mrs. Woodie Spore, Grace Fox, Helen Young, Estelle Hardin, Mrs. Frances Barnard, Mrs. Victoria McCutcheon, Bob Phinney, Mrs. S. H. Sanders, Mrs. Frances Baker, Sue Archibald, Mrs. J. M. Walker.

INVITING HON. DAN MOODY TO ADDRESS LEGISLATURE.

Mr. Johnson of Dimmit offered the following resolution:

H. C. R. No. 2, Inviting Hon. Dan Moody to address joint session.

Be it resolved by the House of Representatives, State of Texas, Senate concurring, That the Hon. Dan Moody, Governor of the State of Texas, be and is hereby invited to address the joint

session of the House and Senate at 2 o'clock p. m., June 4, 1929.

Signed—Johnson of Dimmit, Tillotson, Warwick, Ackerman.

The resolution was read second time and was adopted.

PROVIDING FOR APPOINTMENT OF ADDITIONAL PAGES.

Mr. Ackerman offered the following resolution:

Whereas, The number of pages appointed by the Speaker of the House of Representatives is not sufficient to take care of the amount of work; and

Whereas, There have been numerous requests and there is an imperative public necessity that the number of pages be increased; therefore, be it

Resolved by the House of Representatives, That five additional pages be appointed.

Signed—Ackerman, Negley, Hogg, Brice.

The resolution was read second time.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—63.

Ackerman.	Lee.
Adkins.	Long of Houston.
Baldwin.	Loy.
Barnett.	Maynard.
Beck.	McGill.
Brice.	McKean.
Carpenter.	Mehl.
Coltrin.	Metcalf.
Duvall.	Montgomery.
Finn.	Negley.
Finlay.	O'Neill.
Forbes.	Palmer.
Gates.	Patterson.
Gilbert.	Petsch.
Graves	Pope of Nueces.
of Williamson.	Quinn.
Graves of Erath.	Reader.
Harman.	Rountree.
Harrison.	Shaver.
Heaton.	Sinks.
Hines.	Tarwater.
Holder.	Tillotson.
Hopkins.	Van Zandt.
Johnson	Warwick.
of Dimmit.	Westbrook.
Johnson of Smith.	White.
Johnson of Scurry.	Williams
Justiss.	of Travis.
Keeton.	Woodall.
Keller.	Woodruff.
Kemble.	Young.
Land.	

Nays—39.

Acker.	Moore.
Albritton.	Mosely.
Avis.	Nicholson.
Baker.	Pavlica.
Bounds.	Pool.
Brooks.	Purl.
Cox of Limestone.	Richardson.
Davis.	Sanders.
DeWolfe.	Savage.
Ewing.	Shelton.
Gerron.	Sherrill.
Giles.	Shipman.
Harper.	Simmons.
Jones.	Stephens.
Kincaid.	Storey.
King.	Strong.
Lemens.	Veatch.
Long of Wichita.	Webb.
Mankin.	Williams
Marks.	of Sabine.

Present—Not Voting.

Ray.	Speck.
------	--------

Absent.

Anderson.	Morse.
Bateman.	Mullally.
Cox of Navarro.	Murphy.
Dunlap.	Renfro.
Enderby.	Rogers.
Eickenroht.	Snelgrove.
Fuchs.	Stevenson.
Harding.	Thompson.
Hogg.	Thurmond.
Hornaday.	Turner.
Hubbard.	Waddell.
Martin.	Wallace.
Mauritz.	Walters.
McCombs.	Wiggs.

Absent—Excused.

Bond.	Kinnear.
Bradley.	McDonald.
Chastain.	Minor.
Conway.	Olsen.
Cox of Lamar.	Pope of Jones.
Hardy.	Prendergast.
Hefley.	Reid.
Jenkins.	Smith.
Kayton.	Williams
Kennedy.	of Hardin.
Kenyon.	

RELATING TO ADMITTANCE TO
HALL OF THE HOUSE.

Mr. Petsch offered the following resolution:

Whereas, The Rules of the House, as now in force, exclude former members of the State Senate and House of Representatives from the privileges of the floor of the House of Representatives; and

Whereas, No good reason exists for such action, and the enforcement of such rule constitutes a discourtesy and works a hardship upon such former members; and

Whereas, No good reason exists for the practice of such injustice; therefore, be it

Resolved by the House of Representatives, That the following be added to the first paragraph of Rule XXVII of the House of Representatives:

"And all former members of the Texas Legislature and their families after such former members have certified in writing that they are not appearing before the Legislature in the interest of any bill or measure as a paid lobbyist or representative."

The resolution was read second time.

Mr. Keller raised a point of order on further consideration of the resolution, on the ground that the resolution seeks to amend a rule to which the resolution is not germane.

The Speaker sustained the point of order.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, June 4, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 1, A bill to be entitled "An Act making an appropriation of the sum of one hundred thousand (\$100,000) dollars, or so much thereof as may be necessary, out of the general revenue to pay the per diem and mileage of members, the per diem of officers and employes and the contingent expenses of the Second Called Session of the Forty-first Legislature of the State of Texas, convened on the 3rd day of June, 1929, by proclamation of the Governor, etc., and declaring an emergency."

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

MESSAGE FROM THE GOVERNOR.

Mr. Mark Wiginton, secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House, as follows:

(Pending consideration of the message, Mr. Keller occupied the chair.)

Executive Office,

June 3, 1929.

To the Members of the Forty-first Legislature:

I am submitting for your further consideration the proposed compact between the States of New Mexico, Texas, Oklahoma and Arkansas, concerning the control of the waters of the Canadian River. At the First Called Session of the Forty-first Legislature, House bill No. 80 was passed, which adopted in principle the provisions of this compact with certain reservations expressed in Section 2 of the act. It was provided that the compact was adopted subject to the conditions expressed in the reservations. These conditions were:

First. That the State of Texas, in co-operation with the signatory States, and, as the case may be, with other States and the Federal government, shall investigate the feasibility, practicability and utility of the project provided for in the compact.

Second. That if such investigation should disclose the feasibility, practicability and utility of said project, then a supplemental contract should be entered into by the State at interest or the State and Federal government, as the case may be, in adopting a fair and equitable allocation between the several parties of the cost and benefit under the project.

As I understand the compact, the practical effect is to authorize the construction of flood water reservoirs in the State of New Mexico with the cost of such improvements to be allocated between the States benefited according to the benefits received.

I entertain certain doubts concerning the power of the Legislature to approve a compact between this State and other States which looks to the construction of improvements in other States, a part of the cost of which is to be borne generally by the people of the State of Texas. As I understand, this compact incorporates no specific territory in either a reclamation or irrigation district. If the compact looks to the ultimate incorporation of such districts, no provision is made for the assessing of benefits to properties or the means by which funds shall be raised by the benefited properties to meet the cost of such improvements.

Through a conference with the Board of Water Engineers, I am advised that from the standpoint of this State no scientific investigations have been made to determine the feasibility of the reservoirs evidently contemplated by the compact and that no engineering or other scientific information is available from the standpoint of this State to show whether the proposed project is economically sound. The portion of the flood waters of the Canadian River which would equitably belong to this State may prove to be of a tremendous value to Texas, and before any compact is entered into which surrenders any right of the State in such waters, it is my judgment that we should have the benefit of the very best of technical investigation and advice.

I have withheld any action on House bill No. 80, and I submit the subjects covered by this bill for your further consideration, hoping that some better disposition of the subject may be reached before the time expires when I must act upon this bill under the terms of the Constitution.

Respectfully submitted,

DAN MOODY,
Governor of Texas.

Executive Office,

June 3, 1929.

To the Members of the Forty-first Legislature:

Attached hereto are copies of the following bills:

Senate bill No. 62, being an act authorizing the Board of Regents of the College of Industrial Arts to make contracts for the erection of dormitories, contemplates the construction of dormitories at the College of Industrial Arts to be paid out of the earnings of such dormitories, and authorizes the issuance of obligations for the construction of such dormitories. It is supposed that the obligations will be secured by pledge of the rentals, revenues and income from the dormitories. In Section 2 it is provided that the State Board of Education is authorized to invest the permanent public free school fund of the State of Texas in these obligations. It is my judgment that the State school fund should not be invested in this character of securities. I have taken no action on this bill. I submit the subject of amending the bill to eliminate the authority which it grants to the permanent school fund in the securities mentioned.

House bill No. 97, being an act to amend Article 6221, Title 109, Revised Civil Statutes, 1925, and prescribing certain rules with reference to the payment of pensions. You will observe that the last sentence in Section 1 of this bill is in the following language:

"Provided that it shall not be necessary for any Confederate Veteran otherwise eligible to a pension to be indigent or disabled or to show indigency or disability in his application in order to be entitled to said pension."

The amendment of Section 51 of Article 3 of the Constitution, as adopted at the general election held on November 6, 1928, provides that:

"The Legislature may grant aid to indigent and disabled Confederate soldiers and sailors under such regulations and limitations as may be deemed by the Legislature as expedient."

I have withheld action on this bill. The subject of amending House bill No. 97 to correct the matter referred to is herewith submitted.

A copy of the act of the last session of the Forty-first Legislature, creating a State Board of Education, is attached hereto. You will notice that there is a defect in the caption of this bill in that it recites that the Board of Education thereby created is authorized to appoint a State Superintendent of Public Instruction, whereas the body of the bill makes no reference to this matter. In view of the fact that the Board of Education handles transactions upon which valuable property rights depend, and in view of the fact that it is the head of our State educational system, I believe it wise to eliminate any question that might be raised by reason of the difference that exists between the caption and the body of the bill. I have withheld any action on this bill. The subject of enacting a bill with reference to the Board of Education and the elimination of this conflict between the caption and body of the bill is submitted for your consideration.

House bill No. 164, being an act to amend Article 5172 of the Civil Statutes, and House bill No. 165, being an act to amend Article 1571 of the Penal Code. You will observe that in each of these acts the caption mentions matters not in the body of the bills. I have withheld action on each of these bills. The subject of passing appropriate amendments to correct these defects is submitted for your consideration.

At the First Called Session of the

Forty-first Legislature, House bill No. 178, being an act which granted until February 1st to register motor vehicles, was regularly passed. I approved this bill on May 23, 1929. It is apparent from the reading of this bill that the author intended to fix the month of January as a period during which the license fees on motor vehicles might be paid. After approving this bill, I discovered that the amendment to Article 6677, Revised Civil Statutes, 1925, had been worded in such a manner that one might legally avoid the payment of the license fee on his automobile for one-twelfth of the year; that is, for the month of January. I submit the subject of amending this act to clarify the language in the particular mentioned.

Attached hereto is a copy of House bill No. 104, which is an act relating to the practice of barbering. This bill provides for the inspection of barber shops by members of the board which is created by the terms of the bill, or its agents or assistants. Apparently, the bill contemplates that this inspection shall be with regard to the sanitary conditions in the various barber shops inspected. The bill provides for a board of three members to be appointed by the Governor. It is evident that such a board could not possibly inspect the many barber shops in this State and these inspections could only be carried out through agents or assistants appointed by the board. The State Department of Health is responsible for the enforcement of health and sanitary laws and now has a staff of employees engaged in making inspections and enforcing these laws. If the board created by this bill is also authorized to make similar inspections and charged with the responsibility of enforcing a part of the sanitary laws of the State, it would result in considerable duplication of work between this board and the Board of Health. I have withheld action on this bill and I submit for your consideration the passing of an appropriate amendment to require that the State Department of Health conduct these inspections instead of the board created by this bill.

Attached hereto is a copy of Senate bill No. 55. This bill authorizes the Board of Control, with the consent of the Governor, to set aside certain lands at Rusk for use of the Rusk State Hospital and authorizes the sale of other lands in Cherokee county formerly used by the Prison System.

Section 5 of this bill declares that

the sale and lease of certain lands by deed dated March 16, 1920, to L. P. Featherstone, was void. At this time the Attorney General has a suit pending for the recovery of the balance of the purchase price due on these lands, amounting to approximately \$50,000. This section of the bill would perhaps prevent a recovery by the State in the pending suit.

I have withheld action on this bill and submit for your further consideration the question of whether the Legislature desires to declare this transaction void and thereby defeat the State's suit for the recovery of the balance of the purchase price of the property sold in 1920.

Respectfully submitted,
DAN MOODY,
Governor of Texas.

SENATE BILL ON FIRST READING.

The following Senate bill, received from the Senate today, was laid before the House, read first time and referred to the appropriate committee, as follows:

Senate bill No. 1, to the Committee on Appropriations.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Wallace, House bills Nos. 1, 2, 3, 4 and 5 were ordered not printed, these bills having been printed between sessions.

HOUSE BILL NO. 1 ON SECOND READING.

Mr. Albritton moved that the House rule which relates to printed copies of bills being placed on a member's desk for twenty-four hours be suspended to take up, for consideration at this time, House bill No. 1.

The motion prevailed by the following vote:

Yeas—88.

Mr. Speaker.	Finn.
Acker.	Finlay.
Ackerman.	Forbes.
Adkins.	Gates.
Albritton.	Gerron.
Avis.	Gilbert.
Baker.	Giles.
Baldwin.	Graves of Erath.
Barnett.	Harper.
Bounds.	Heaton.
Brice.	Hines.
Carpenter.	Hopkins.
Coltrin.	Hornaday.
Cox of Navarro.	Johnson
Cox of Limestone.	of Dimmit.
Ewing.	Johnson of Smith.

Johnson of Scurry.	Ray.
Jones.	Reader.
Justiss.	Renfro.
Keeton.	Richardson.
Keller.	Rountree.
Kincaid.	Sanders.
King.	Savage.
Land.	Shaver.
Lee.	Shelton.
Lemens.	Sherrill.
Long of Houston.	Shipman.
Loy.	Simmons.
Mankin.	Sinks.
Marks.	Stephens.
Maynard.	Stevenson.
McGill.	Strong.
Mehl.	Tarwater.
Metcalf.	Veatch.
Montgomery.	Warwick.
Moore.	Webb.
Mosely.	Westbrook.
Mullally.	White.
Murphy.	Wiggs.
Nicholson.	Williams
Palmer.	of Sabine.
Patterson.	Woodall.
Pavlica.	Woodruff.
Pool.	Young.
Quinn.	

Nays—12.

Beck.	Purl.
Brooks.	Storey.
Duvall.	Thompson.
Harman.	Van Zandt.
Kemble.	Williams
McCombs.	of Travis.
McKean.	

Present—Not Voting.

Harrison.

Absent.

Anderson.	Mauritz.
Bateman.	Morse.
Davis.	Negley.
DeWolfe.	O'Neill.
Dunlap.	Petsch.
Enderby.	Pope of Nueces.
Eickenroht.	Rogers.
Fuchs.	Snelgrove.
Graves	Speck.
of Williamson.	Thurmond.
Harding.	Tillotson.
Hogg.	Turner.
Holder.	Waddell.
Hubbard.	Wallace.
Long of Wichita.	Walters.
Martin.	

Absent—Excused.

Bond.	Hardy.
Bradley.	Hefley.
Chastain.	Jenkins.
Conway.	Kayton.
Cox of Lamar.	Kennedy.

Kenyon.	Prendergast.
Kinnear.	Reid.
McDonald.	Smith.
Minor.	Williams
Olsen.	of Hardin.
Pope of Jones.	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1, A bill to be entitled "An Act appropriating two million, five hundred thousand dollars (\$2,500,000) per year, or so much thereof as may be necessary, for the next two fiscal years, for the purpose of promoting rural school education and equalizing the school opportunities afforded by the State to all children of scholastic age living in small and financially weak districts, etc., and declaring an emergency."

The bill was read second time.

Mr. Woodall offered the following amendments to the bill:

(1)

Amend House bill No. 1, page 6, Section 10, line 31, by striking out the words and figures "three hundred thousand (\$300,000)," and insert in lieu thereof "five hundred thousand (\$500,000)."

(2)

Amend House bill No. 1, page 4, Section 5, line 24, by striking out the word "get" after the word "rate" and insert in lieu thereof the word "for."

The amendments were severally adopted.

Mr. Van Zandt offered the following amendment to the bill:

Amend House bill No. 1, page 6, Section 10, by adding thereto the following, "as amended by Senate bill No. 10 passed at the First Called Session of the Forty-first Legislature."

The amendment was adopted.

Mr. Sherrill offered the following amendment to the bill:

Amend House bill No. 1, page 6, line 2, by striking out the figures "\$300" and insert in lieu thereof the figures "\$500," and by striking out all of line 3 after the word "district," all of lines 4, 5 and 6 and line 7 to and including the word "district."

The amendment was lost.

Mr. Purl offered the following amendment to the bill:

Amend House bill No. 1 by adding new sections, to be known as Sections 17a and 17b:

"Sec. 17a. Any county in this State

may, through its county school trustees, make application to the State Superintendent of Public Instruction and the State Board of Education for an allowance for any year out of the rural aid fund provided for and appropriated by this act of a sum equal to the aggregate amount of any and all allowances which might be made for such year to school districts lying wholly or in part within such county under this act, in lieu of such allowances, to be used as a county equalization fund and disbursed by the county school trustees for the purpose of equalizing the educational opportunities of school children residing within the county, according to schedule plans and specifications for the use of such county equalization fund, which shall accompany such application; and if the State Superintendent of Public Instruction and the State Board of Education, upon full consideration of such application, shall approve such plans and specifications, with or without modifications, and shall grant the application, then the aggregate amount of said funds to be used in said county shall from time to time, as needed, if such plans and specifications are being complied with, but not otherwise, be turned over to such county school trustees for such use as a county equalization fund; provided, that the amount so appropriated and allotted to any county shall not in the aggregate exceed the proportion of the total fund herein provided for, which the rural scholastic population of said county, as ascertained and determined by the State Superintendent of Public Instruction and the State Board of Education, bears to the rural scholastic population of the State, as similarly ascertained and determined.

"Sec. 17b. Wherever, in this act, the power is given either to the State Superintendent of Public Instruction or to the State Board of Education or to the county school trustees to make any allowance or payment to any school district, the State Superintendent or the State Board of Education or the county school trustees, as the case may be, upon consent of trustees of such effective districts, shall have full power and authority under the same conditions to provide that such allowance or payments shall be made for the use and benefit of the children residing in such school district, to some convenient school district or school districts other than the one in which such school children may reside, to pay, in whole or in part, for their transportation and tuition, or either;

provided, that such provision shall be approved by the State Superintendent of Public Instruction and the State Board of Education."

Signed—Purl, McCombs, Graves of Williamson, Loy.

The amendment was adopted.

Mr. Harman offered the following amendment to the bill:

Amend House bill No. 1, page 2, Section 2, by striking out all of lines 7 and 8 down to and including the word "than."

The amendment was adopted.

Mr. DeWolfe moved that further consideration of the bill be postponed until 3 o'clock p. m. today.

On motion of Mr. Harman, the motion by Mr. DeWolfe was tabled.

Mr. Harman offered the following amendment to the bill:

Amend House bill No. 1, page 6, Section 9, line 19, by striking out the following, "of 1923, 1925 and 1927."

The amendment was adopted.

Mr. McCombs offered the following amendment to the bill:

Amend House bill No. 1, page 4, by striking out all of lines 7 to 14, inclusive.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—48.

Albritton.	Lemens.
Avis.	Loy.
Baldwin.	Maynard.
Beck.	McCombs.
Brooks.	McKean.
Carpenter.	Metcalf.
Coltrin.	Montgomery.
Cox of Navarro.	Moore.
Davis.	Nicholson.
Dunlap.	Patterson.
Duvall.	Petsch.
Forbes.	Pool.
Gates.	Pope of Nueces.
Giles.	Purl.
Graves	Rountree.
of Williamson.	Sanders.
Harding.	Savage.
Harman.	Shaver.
Harrison.	Speck.
Hines.	Stevenson.
Hogg.	Storey.
Holder.	Tarwater.
Hornaday.	Warwick.
Keller.	White.
Land.	

Nays—55.

Acker.	Adkins.
Ackerman.	Baker.

Barnett.	Palmer.
Bounds.	Pavlica.
Brice.	Pope of Jones.
DeWolfe.	Ray.
Ewing.	Reader.
Finn.	Renfro.
Finlay.	Richardson.
Gerron.	Sherrill.
Gilbert.	Shipman.
Graves of Erath.	Simmons.
Harper.	Sinks.
Heaton.	Stephens.
Hopkins.	Strong.
Johnson	Thompson.
of Dimmit.	Van Zandt.
Johnson of Smith.	Veatch.
Johnson of Scurry.	Wallace.
Jones.	Webb.
Kemble.	Westbrook.
King.	Wiggs.
Lee.	Williams
Long of Houston.	of Sabine.
Long of Wichita.	Williams
Marks.	of Travis.
Mauritz.	Woodall.
McGill.	Woodruff.
Mosely.	Young.
Negley.	

Present—Not Voting.

Cox of Limestone.

Absent.

Anderson.	Mullally.
Bateman.	Murphy.
Enderby.	O'Neill.
Eickenroht.	Quinn.
Fuchs.	Rogers.
Hubbard.	Shelton.
Keeton.	Snelgrove.
Kincaid.	Thurmond.
Mankin.	Tillotson.
Martin.	Turner.
Mehl.	Waddell.
Morse.	Walters.

Absent—Excused.

Bond.	Kenyon.
Bradley.	Kinnear.
Chastain.	McDonald.
Conway.	Minor.
Cox of Lamar.	Prendergast.
Hardy.	Reid.
Hefley.	Smith.
Jenkins.	Williams
Justiss.	of Hardin.
Kayton.	
Kennedy.	

PAGES ANNOUNCED.

The Speaker announced the appointment of the following additional pages:

Jack Lee Myers, Howard Patterson, Hugh Haynes, Clarence Jones, Marcus Renfro.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, June 4, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. C. R. No. 2, Inviting Governor Dan Moody to address a joint session of the House and Senate at 2 p. m., June 4, 1929.

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled resolution:

H. C. R. No. 2, Inviting Hon. Dan Moody to address the House and Senate in joint session.

INVITATION TO ATTEND DANCE.

Senator Hornsby, being presented by the Speaker, extended an invitation to the members of the House to attend a reception to be given at the Driskill Hotel today at 8 o'clock p. m. in honor of the members of the House and Senate. The House accepted the invitation.

INVITATION TO VISIT SAN MARCOS.

Speaker Barron presented Hon. A. J. McKean from Hays county, who introduced Mayor Wilhelm of San Marcos, who extended to the House an invitation to visit San Marcos on next Friday, June 7.

On motion of Mr. Holder, the House accepted the invitation.

RECESS.

On motion of Mr. McGill the House, at 12:10 o'clock p. m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

ADDRESS BY HON. DAN MOODY.

In accordance with a resolution heretofore adopted, providing for a joint session to hear an address by Hon. Dan

Moody, Governor, the Honorable Senate, being escorted by Bob Barker, Secretary of the Senate, were announced at the bar of the House and, being admitted, were escorted to seats prepared for them along the aisle.

Hon. Pink L. Parrish, President Pro Tem. of the Senate, being invited, occupied a seat on the Speaker's stand.

The Speaker announced the appointment of the following committee to escort Hon. Dan Moody to the Speaker's stand:

Messrs. Purl, Pope of Jones, Sanders, Duvall and Shipman.

The committee having performed their duty, Speaker Barron presented Hon. P. L. Parrish, who in turn presented Hon. Dan Moody.

Hon. Dan Moody then addressed the House.

The Senate then retired to its Chamber.

HOUSE BILL NO. 1 ON PASSAGE TO ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 1, relating to appropriating certain sum for aid of rural schools, on its passage to engrossment.

Mr. Stevenson offered the following amendment to the bill:

Amend House bill No. 1, page 3, Section 3, line 19, by striking out the words "and county available," and in line 21 by striking out the words "and county available."

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—72.

Mr. Speaker.	Giles.
Acker.	Graves
Adkins.	of Williamson.
Anderson.	Harman.
Baker.	Harper.
Baldwin.	Hines.
Barnett.	Hogg.
Beck.	Hornaday.
Brooks.	Hubbard.
Carpenter.	Johnson of Smith.
Cox of Navarro.	Johnson of Scurry.
Cox of Limestone.	Jones.
DeWolfe.	Keeton.
Dunlap.	Keller.
Duvall.	King.
Eickenroht.	Land.
Forbes.	Lee.
Gates.	Loy.
Gerron.	Mankin.
Gilbert.	Martin.

Mauritz.	Purl.
Maynard.	Quinn.
McCombs.	Richardson.
McGill.	Rountree.
McKean.	Sanders.
Metcalfe.	Shaver.
Montgomery.	Shipman.
Moore.	Sinks.
Murphy.	Speck.
Negley.	Stevenson.
Nicholson.	Storey.
O'Neill.	Tarwater.
Palmer.	Thompson.
Patterson.	Tillotson.
Pavlica.	Warwick.
Petsch.	Wiggs.
Pool.	Williams
Pope of Jones.	of Travis.

Nays—27.

Albritton.	Mosely.
Avis.	Ray.
Bounds.	Renfro.
Brice.	Savage.
Coltrin.	Sherrill.
Davis.	Simmons.
Ewing.	Stephens.
Finlay.	Strong.
Graves of Erath.	Van Zandt.
Heaton.	Veatch.
Holder.	Webb.
Justiss.	Williams
Kennedy.	of Sabine.
Marks.	Woodall.

Present—Not Voting.

Ackerman.	Reader.
Harrison.	

Absent.

Bateman.	Mullally.
Enderby.	Pope of Nueces.
Finn.	Rogers.
Fuchs.	Shelton.
Harding.	Snelgrove.
Hopkins.	Thurmond.
Johnson	Turner.
of Dimmit.	Waddell.
Kemble.	Wallace.
Kincaid.	Walters.
Lemens.	Westbrook.
Long of Houston.	White.
Long of Wichita.	Woodruff.
Mehl.	Young.
Morse.	

Absent—Excused.

Bond.	Jenkins.
Bradley.	Kayton.
Chastain.	Kenyon.
Conway.	Kinnear.
Cox of Lamar.	McDonald.
Hardy.	Minor.
Hefley.	Olsen.

Prendergast.	Williams
Reid.	of Hardin.
Smith.	

Mr. Graves of Erath offered the following amendment to the bill:

Amend House bill No. 1, page 4, line 29, by striking out the word "and" after the word "enrollment" and insert in lieu thereof the word "an."

The amendment was adopted.

Mr. McCombs offered the following amendment to the bill:

Amend House bill No. 1, page 2, line 31, by changing words "seventy-five cents" to "one dollar."

Mr. DeWolfe moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—72.

Mr. Speaker.	Kennedy.
Acker.	Land.
Ackerman.	Long of Houston.
Adkins.	Loy.
Albritton.	Mankin.
Anderson.	Maynard.
Avis.	McGill.
Baker.	McKean.
Barnett.	Moore.
Bounds.	Mosely.
Brice.	Negley.
Brooks.	O'Neill.
Carpenter.	Palmer.
Coltrin.	Pavlica.
Cox of Navarro.	Petsch.
DeWolfe.	Pope of Jones.
Dunlap.	Reader.
Duvall.	Renfro.
Ewing.	Richardson.
Eickenroht.	Rountree.
Finlay.	Shaver.
Forbes.	Sherrill.
Gerron.	Shipman.
Gilbert.	Simmons.
Giles.	Sinks.
Graves	Stephens.
of Williamson.	Storey.
Graves of Erath.	Strong.
Harman.	Thompson.
Harper.	Tillotson.
Heaton.	Veatch.
Hines.	Wallace.
Hogg.	Webb.
Hornaday.	Williams
Johnson of Smith.	of Sabine.
Jones.	Woodall.
Justiss.	Woodruff.
Keeton.	

Nays—27.

Baldwin.	Holder.
Cox of Limestone.	Hopkins.
Davis.	Johnson of Scurry.

Keller.	Quinn.
Kincaid.	Ray.
Lee.	Savage.
Marks.	Speck.
McCombs.	Stevenson.
Metcalfe.	Tarwater.
Montgomery.	Van Zandt.
Nicholson.	Warwick.
Patterson.	Westbrook.
Pool.	Wiggs.
Purl.	

Present—Not Voting.

Harrison.	Williams of Travis.
-----------	------------------------

Absent.

Bateman.	Mehl.
Beck.	Morse.
Enderby.	Mullally.
Finn.	Murphy.
Fuchs.	Pope of Nueces.
Gates.	Rogers.
Harding.	Sanders.
Hubbard.	Shelton.
Johnson of Dimmit.	Snelgrove.
Kemble.	Thurmond.
King.	Turner.
Lemens.	Waddell.
Long of Wichita.	Walters.
Martin.	White.
Mauritz.	Young.

Absent—Excused.

Bond.	Kinnear.
Bradley.	McDonald.
Chastain.	Minor.
Conway.	Olsen.
Cox of Lamar.	Prendergast.
Hardy.	Reid.
Hefley.	Smith.
Jenkins.	Williams
Kayton.	of Hardin.
Kenyon.	

Mr. Baldwin moved the previous question on the passage of the bill to engrossment, and the main question was ordered.

House bill No. 1 was then passed to engrossment.

HOUSE BILL NO. 1 ON THIRD READING.

Mr. Graves of Erath moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 1 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—96.

Mr. Speaker.	Mankin.
Acker.	Marks.
Ackerman.	Mauritz.
Adkins.	Maynard.
Anderson.	McGill.
Avis.	Metcalfe.
Baker.	Montgomery.
Baldwin.	Moore.
Barnett.	Mosely.
Beck.	Murphy.
Bounds.	Negley.
Brice.	Nicholson.
Brooks.	Palmer.
Carpenter.	Patterson.
Coltrin.	Pavlica.
Cox of Limestone.	Pool.
Davis.	Purl.
DeWolfe.	Quinn.
Dunlap.	Ray.
Duvall.	Reader.
Finn.	Renfro.
Finlay.	Richardson.
Forbes.	Rountree.
Gates.	Sanders.
Gerron.	Savage.
Gilbert.	Shaver.
Giles.	Sherrill.
Graves of Erath.	Shipman.
Graves of Williamson.	Simmons.
Harman.	Sinks.
Harper.	Speck.
Harrison.	Stephens.
Heaton.	Stevenson.
Hogg.	Storey.
Holder.	Strong.
Hopkins.	Tarwater.
Hornaday.	Thompson.
Hubbard.	Van Zandt.
Johnson of Smith.	Veatch.
Johnson of Scurry.	Wallace.
Jones.	Webb.
Justiss.	Westbrook.
Keeton.	Wiggs.
Keller.	Williams
Kincaid.	of Sabine.
King.	Williams
Land.	of Travis.
Lee.	Woodall.
Long of Houston.	Woodruff.
	Young.

Nays—6.

Albritton.	Kennedy.
Eickenroht.	McCombs.
Kemble.	McKean.

Absent.

Bateman.	Johnson
Cox of Navarro.	of Dimmit.
Enderby.	Lemens.
Ewing.	Long of Wichita.
Fuchs.	Loy.
Harding.	Martin.
Hines.	Mehl.

Morse.
Mullally.
O'Neill.
Petsch.
Pope of Jones.
Pope of Nueces.
Rogers.
Shelton.

Snelgrove.
Thurmond.
Tillotson.
Turner.
Waddell.
Walters.
Warwick.
White.

Absent—Excused.

Bond.
Bradley.
Chastain.
Conway.
Cox of Lamar.
Hardy.
Hefley.
Jenkins.
Kayton.
Kenyon.

Kinnear.
McDonald.
Minor.
Olsen.
Prendergast.
Reid.
Smith.
Williams
of Hardin.

The Speaker then laid House bill No. 1 before the House on its third reading and final passage.

The bill was read third time.

Mr. Kennedy offered the following amendment to the bill:

Amend House bill No. 1, on page 2, line 31, by substituting "fifty cents" for "seventy-five cents" in said line.

The amendment was lost.

By unanimous consent of the House, the caption was ordered amended to conform to all changes made in the body of the bill.

House bill No. 1 was then passed by the following vote:

Yeas—102.

Mr. Speaker.
Acker.
Ackerman.
Adkins.
Albritton.
Anderson.
Avis.
Baker.
Baldwin.
Barnett.
Beck.
Bounds.
Brice.
Brooks.
Carpenter.
Coltrin.
Cox of Limestone.
Davis.
DeWolfe.
Dunlap.
Finn.
Finlay.
Forbes.
Gates.
Gerron.
Gilbert.

Giles.
Graves
of Williamson.
Graves of Erath.
Harman.
Harper.
Harrison.
Heaton.
Hogg.
Holder.
Hopkins.
Hornaday.
Hubbard.
Johnson of Smith.
Johnson of Scurry.
Jones.
Justiss.
Keeton.
Keller.
Kemble.
Kennedy.
Kincaid.
King.
Land.
Lee.
Long of Houston.

Long of Wichita.
Mankin.
Marks.
Mauritz.
Maynard.
McCombs.
McGill.
Metcalf.
Montgomery.
Moore.
Morse.
Mosely.
Negley.
Nicholson.
Palmer.
Patterson.
Pavlica.
Petsch.
Pool.
Purl.
Quinn.
Ray.
Reader.
Renfro.
Richardson.
Rountree.
Sanders.
Savage.

Shaver.
Sherrill.
Shipman.
Simmons.
Sinks.
Speck.
Stephens.
Stevenson.
Storey.
Strong.
Tarwater.
Thompson.
Tillotson.
Van Zandt.
Veatch.
Wallace.
Warwick.
Webb.
Westbrook.
Wiggs.
Williams
of Sabine.
Williams
of Travis.
Woodall.
Woodruff.
Young.

Nays—1.

Eickenroht.

Absent.

Bateman.
Cox of Navarro.
Duvall.
Enderby.
Ewing.
Fuchs.
Harding.
Hines.
Johnson
of Dimmit.
Lemens.
Loy.
Martin.
McKean.

Mehl.
Mullally.
Murphy.
O'Neill.
Pope of Jones.
Pope of Nueces.
Rogers.
Shelton.
Snelgrove.
Thurmond.
Turner.
Waddell.
Walters.
White.

Absent—Excused.

Bond.
Bradley.
Chastain.
Conway.
Cox of Lamar.
Hardy.
Hefley.
Jenkins.
Kayton.
Kenyon.

Kinnear.
McDonald.
Minor.
Olsen.
Prendergast.
Reid.
Smith.
Williams
of Hardin.

BILL ORDERED NOT PRINTED.

On motion of Mr. Wallace, Senaté bill No. 1 was ordered not printed.

SENATE BILL NO. 1 ON SECOND
READING.

Mr. Wallace moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 1 be placed on its second reading and passage to third reading, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—98.

Mr. Speaker.	Maynard.
Acker.	McCombs.
Ackerman.	McGill.
Adkins.	McKean.
Anderson.	Mehl.
Avis.	Metcalfe.
Baker.	Montgomery.
Baldwin.	Moore.
Barnett.	Mosely.
Beck.	Murphy.
Bounds.	Negley.
Brice.	O'Neill.
Brooks.	Palmer.
Carpenter.	Patterson.
Coltrin.	Pavlica.
Cox of Limestone.	Pool.
Dunlap.	Pope of Jones.
Finn.	Purl.
Finlay.	Ray.
Forbes.	Reader.
Gates.	Renfro.
Gerron.	Richardson.
Gilbert.	Sanders.
Giles.	Savage.
Graves	Shaver.
of Williamson.	Shelton.
Graves of Erath.	Sherrill.
Harman.	Shipman.
Harper.	Simmons.
Harrison.	Sinks.
Heaton.	Stephens.
Hogg.	Stevenson.
Holder.	Storey.
Hopkins.	Strong.
Hubbard.	Tarwater.
Johnson of Smith.	Thompson.
Johnson of Scurry.	Tillotson.
Jones.	Van Zandt.
Justiss.	Veatch.
Keeton.	Wallace.
Keller.	Warwick.
Kemble.	Webb.
Kincaid.	Westbrook.
King.	Wiggs.
Land.	Williams
Lee.	of Sabine.
Long of Houston.	Williams
Long of Wichita.	of Travis.
Mankin.	Woodall.
Marks.	Woodruff.
Mauritz.	Young.

Nays—4.

Albritton.	Kennedy.
Davis.	Quinn.

Present—Not Voting.

Hines.

Absent.

Bateman.	Morse.
Cox of Navarro.	Mullally.
DeWolfe.	Nicholson.
Duvall.	Petsch.
Enderby.	Pope of Nueces.
Ewing.	Rogers.
Eickenroht.	Rountree.
Fuchs.	Snelgrove.
Harding.	Speck.
Hornaday.	Thurmond.
Lemens.	Turner.
Johnson	Waddell.
of Dimmit.	Walters.
Loy.	White.
Martin.	

Absent—Excused.

Bond.	Kinnear.
Bradley.	McDonald.
Chastain.	Minor.
Conway.	Olsen.
Cox of Lamar.	Prendergast.
Hardy.	Reid.
Hefley.	Smith.
Jenkins.	Williams
Kayton.	of Hardin.
Kenyon.	

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 1, A bill to be entitled "An Act making an appropriation of the sum of one hundred thousand dollars (\$100,000), or so much thereof as may be necessary, out of the general revenue, to pay the per diem and mileage of members, the per diem of officers and employes and the contingent expenses of the Second Called Session of the Forty-first Legislature of the State of Texas, convened on the third day of June, 1929, by proclamation of the Governor, etc., and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 1 ON THIRD
READING.

The Speaker then laid Senate bill No. 1 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—102.

Mr. Speaker.	Mauritz.
Acker.	Maynard.
Ackerman.	McCombs.
Adkins.	McGill.
Albritton.	McKean.
Anderson.	Mehl.
Avis.	Metcalf.
Baker.	Montgomery.
Baldwin.	Mosely.
Barnett.	Murphy.
Beck.	Negley.
Bounds.	O'Neill.
Brice.	Palmer.
Carpenter.	Patterson.
Coltrin.	Pavlica.
Cox of Limestone.	Pool.
Davis.	Pope of Jones.
Dunlap.	Purl.
Duvall.	Quinn.
Finn.	Ray.
Finlay.	Reader.
Forbes.	Renfro.
Gates.	Sanders.
Gerron.	Savage.
Giles.	Shaver.
Graves	Shelton.
of Williamson.	Sherrill.
Graves of Erath.	Shipman.
Harman.	Simmons.
Harper.	Sinks.
Harrison.	Speck.
Heaton.	Stephens.
Hines.	Stevenson.
Hogg.	Storey.
Holder.	Strong.
Hopkins.	Tarwater.
Hubbard.	Thompson.
Johnson of Smith.	Tillotson.
Johnson of Scurry.	Van Zandt.
Justiss.	Veatch.
Keeton.	Wallace.
Keller.	Warwick.
Kemble.	Webb.
Kennedy.	Westbrook.
Kincaid.	Wiggs.
King.	Williams
Land.	of Sabine.
Lee.	Williams
Long of Houston.	of Travis.
Long of Wichita.	Woodall.
Loy.	Woodruff.
Mankin.	Young.
Marks.	

Present—Not Voting.

Richardson.

Absent.

Bateman.	Ewing.
Brooks.	Eickenroht.
Cox of Navarro.	Fuchs.
DeWolfe.	Gilbert.
Enderby.	Harding.

Hornaday.	Petsch.
Johnson	Pope of Nueces.
of Dimmit.	Rogers.
Jones.	Rountree.
Lemens.	Snelgrove.
Martin.	Thurmond.
Moore.	Turner.
Morse.	Waddell.
Mullally.	Walters.
Nicholson.	White.

Absent—Excused.

Bond.	Kinnear.
Bradley.	McDonald.
Chastain.	Minor.
Conway.	Olsen.
Cox of Lamar.	Prendergast.
Hardy.	Reid.
Hefley.	Smith.
Jenkins.	Williams
Kayton.	of Hardin.
Kenyon.	

EXPRESSING SYMPATHY IN RE-
GARD TO DEATH OF MAJOR
JOSEPH H. NOYES.

Mr. Wiggs offered the following reso-
lution:

H. C. R. No. 3, Expressing Regret at
death of Major Joseph H. Noyes.

Whereas, On the 19th day of May,
A. D. 1929, when Death, with the scythe
of Time, cut the brittle thread of life
of Major Joseph H. Noyes, Texas lost a
noble and efficient son and the United
States lost a brilliant and experienced
airman, and the people of the Nation in
general lost a great leader and pioneer
in aviation; and

Whereas, Joseph H. Noyes was a
native of Lamar county, Texas, was a
veteran of the World War, organized the
Flying Cadets of America, and of late
had been serving his country as an in-
spector and examiner of aviation in the
United States Department of Commerce;
and

Whereas, The death of Major Joseph
H. Noyes was emblematical of his en-
tire life, being incurred in the course
of his duty while examining a student
flyer at Kankakee, Ill.; now, therefore,
be it

Resolved, by the House of Representa-
tives, the Senate concurring, That in the
passing of Major Joseph H. Noyes we
feel the loss not only to Texas and the
Nation at large, but especially to the
science of aviation, which he so much
loved. We express to his family and
many friends our deepest sympathy and
wish to remind them that the life of our
lost comrade has been a noble one and

is typical of the spirit of America today.

The resolution was read second time, and was adopted by a rising vote.

DESIGNATING TEXAS PROSPERITY MONTH.

Mr. Anderson offered the following resolution:

H. C. R. No. 4, Designating prosperity month in Texas.

Whereas, In the past several years the State of Texas has experienced a period of growth, expansion and prosperity unparalleled by any other State in the Union during that same period of time; and

Whereas, Specific evidences of this remarkable development are to be seen on every hand in our cities, towns and rural communities, both in building, in settlement of farms and ranches, in the opening up of oil fields and the development of other natural resources; and

Whereas, It is planned elaborately to commemorate this growth and expansion in a fitting manner, with a focal point of celebration in San Antonio, wherein the Chamber of Commerce, the Junior Chamber of Commerce, the Retail Merchants' Association, the Real Estate Board and other civic and business organizations of virtually every other section of this Commonwealth will take part; and

Whereas, It is desired that this celebration be known as "Prosperity Month" and the dates be June 14 to July 14, 1929, both dates inclusive; therefore, be it

Resolved, by the House of Representatives of the Legislature of the State of Texas, the Senate concurring, That the period of time from June 14 to July 14, both dates inclusive, be, and the same is hereby, designated as Texas Prosperity Month, and all citizens of this State are called upon to take their appropriate part in the same, and to do all things proper and consistent to make this an occasion of State-wide magnitude and importance, designed to bring to the attention not only of the residents of Texas, but of the United States of America as well, the advantages and opportunities afforded in the said Commonwealth of Texas, and the remarkable growth, expansion and development which in recent years has occurred and which is now continuing with increasing momentum in all lines of business, industry, commerce and agriculture.

The resolution was read second time, and was adopted.

ADJOURNMENT.

Mr. Quinn moved that the House adjourn until 9 o'clock a. m. tomorrow.

Mr. Baldwin moved that the House adjourn until 10 o'clock a. m. tomorrow.

The motion of Mr. Baldwin prevailed, and the House accordingly, at 4:50 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills, as follows:

Appropriations: House bill No. 8 and Senate bill No. 1.

Revenue and Taxation: House bill No. 38.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, June 3, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 1, Inviting Hon. Dan Moody to address joint session.

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

THIRD DAY.

(Wednesday, June 5, 1929.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called and the following members were present:

Mr. Speaker.	Chastain.
Acker.	Coltrin.
Ackerman.	Conway.
Adkins.	Cox of Navarro.
Albritton.	Cox of Lamar.
Anderson.	Cox of Limestone.
Avis.	Davis.
Baker.	DeWolfe.
Baldwin.	Dunlap.
Barnett.	Ewing.
Beck.	Eickenroht.
Bond.	Finn.
Bounds.	Finlay.
Brice.	Forbes.
Brooks.	Gates.
Carpenter.	Gerron.